



State of Louisiana Animal Welfare Commission

Office of the Governor

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Meeting Minutes

January 22, 2011

I. Call to order

Gary Balsamo called to order the regular meeting of the Louisiana Animal Welfare Commission at 9:00 AM on January 22, 2011, at the Louisiana State Police Headquarters Building, Baton Rouge, LA.

II. Roll call

The following persons members were present: Amy Burris (at-large), Ms. Mary Lee Oliphant-Wood (commercial breeder representative), Ms. Joelle Rupert (humane organization representative), Lt. Paul Edmondson, Louisiana State Police Representative, Dr. Gary Balsamo (Governor's Office of Community Programs representative), Dr. Brian Melius (small animal practice), Mr. Pinckney Wood (humane organization representative), Mr. Hilton Cole (Animal control representative).

Absent were Dr. A. Phillip Dupont (LVMA representative), Ms. Margaret George (humane organization representative), Dr. Amy Grayson (LVMA representative), Mr. J.T. Lane (DHH representative), and Ms. Susan Schneider (Louisiana Quarter Horse Association representative).

The Louisiana Thoroughbred Breeders' Association slot remains vacant.

III. Approval of minutes from last meeting

The minutes from the last meeting were read and discussed. The minutes were then approved by vote of the Commission as read. Motion for approval was made by Dr. Melius, seconded by Ms. Rupert.

IV. Open issues

- (a) Pinckney Wood delivered the report of the Committee on Animal Cruelty Laws. Pinckney reminded the commission that "poisoning" had been added to the animal cruelty laws; however the definition of "poisoning" was not clear. Mr. Wood also explained that the definition of "animal" was not explicit and had been interpreted in many different ways by courts throughout the country. Mr. Edmondson added that in Louisiana, the "intent" of the perpetrator of an act was an important consideration. Mr. Wood also reported that the committee was investigating proposals for a draft "breeder regulation" bill that could be suggested to legislators in future sessions.

Information was collected from breeders and a handout was prepared by Ms. Oliphant-Wood summarizing information gathered to date. That handout is added to these minutes as appendix A. Mr. Wood offered an opinion that the proposed legislation was presently in an information gathering stage and was not ready for legislative consideration. The committee will offer a proposal in the future. Pinckney Wood also related that the committee was considering language strengthening the "shelter inspection" law. The committee will consider language that will put "teeth" in the legislation and/or will at least give the commission the right to inspect shelters without notice or on a surprise basis. Mr. Wood related that he would work with the Chairman related to improving and strengthening the statute.

Dr. Balsamo added that one of the commission's primary goals for the future should be regulation of pet shops and groomers, since most jurisdictions exercise very little supervision of these businesses. Mr. Wood added that the commission should seek rule making authority over breeders, and then proceed to pet shops and groomers. Ms. Rupert stated that the commission should draft guidelines and then work to make these guidelines mandatory.

Mr. Balsamo asked the committee to further explore proposals for future legislation with the goal of proposing legislation in the 2012 regular session of the legislature. The chair suggested that the committee have the proposals ready well in advance of the session so that the commission might amend, approve, or reject the proposals.

Ms. Amy Burris then asked the chairman if the commission had identified one of the members to be a "public relations" (PR) representative for the commission. Dr. Balsamo answered negatively and Ms. Burris suggested strongly that the commission ask one of the members to be responsible for PR. Several members asked Ms. Burris if she would be willing to handle this duty. Ms. Burris volunteered but stated that she would likely not be active during the ensuing legislative session due to commitments related to her position at the Department of Veterans Affairs.

(b) Dr. Melius presented his views on euthanasia and a proposed position statement on the subject. Dr. Melius reported that many of the commission's concerns on euthanasia were addressed in the 2010 legislative session. Cardiac "sticks" were no longer legal unless the animal was anesthetized and gas chambers would be illegal in January 2013.

Dr. Melius proposed, however, that the commission consider recommendations that several low dose sedatives be used prior to injection with IV sodium pentobarbital. Mr. Hilton Cole and several other members objected to the commission adopting recommendations that exceeded the AVMA recommendations on euthanasia. Mr. Cole also stated that use of these drugs may not be legal and added expense related to their use may tax already underfunded shelters. Dr. Melius added that the commission should at least aspire to draft "best practices" to which shelters could work toward, especially when euthanizing

fractious animals. Dr. Melius agreed to work on a draft of a "best practices" document.

(c) The chair added Amy Burris to the committee that was charged with the Creation of an LAWC website. Dr. Balsamo also stated that Mr. J.T. Lane had gathered information on proposals and the Ms. Burris should contact Mr. Lane to continue work on the proposed website. Ms. Burris asked the commission for permission to create an LAWC *Facebook* page. Dr. Balsamo asked if anyone objected to the creation of the page. Since no one voiced opposition, the chair asked Ms. Burris to proceed with the creation of an LAWC *Facebook* page.

Mr. Edmondson added that creation of a website was essential so that the public will learn that LAWC exists. The website will be a location where inspection reports and position statements can be posted.

(d) Mr. Wood then asked the Commission to approve a \$500.00 expenditure to permit the Louisiana Animal Welfare Auxiliary (LAWA) to apply for 501 c 3 status. Mr. Wood mentioned that retired State District Judge Sol Gothard had already agreed to serve on the auxiliary. The auxiliary is a volunteer directed organization that will actively seek donations and will be used to create a pool of cruelty investigators. Dr. Brian Melius moved that LAWC pay \$500.00 for the application so that LAWA can become a non-profit organization. The motion was seconded by Ms. Oliphant-Wood and passed unanimously.

(e) Mr. Hilton Cole mentioned that no progress had been made in scheduling or organizing the planned seminar for law enforcement. Mr. Cole suggested that the commission needed someone to take over planning the seminar. Dr. Balsamo mentioned that some non-LAWC members may be willing to assist. Mr. Cole encouraged the chairman to pursue assistance from non-commission members.

V. New business

(a) The commissioners agreed to forego a discussion on the deadline for the first LAWC newsletter. Ms. George was not in attendance and publication of the newsletter would likely have to be synchronized with establishment of the website.

(b) Dr. Balsamo mentioned that several commission members were now refusing to sign the inspection reports. Balsamo stated that the chairman would be the best representative to sign the reports, but he felt that, since the chairman was the primary person conducting the investigations, it may be perceived as if the State Public Health Veterinarian was acting independently of the commission in evaluating the shelters. The chairman suggested that all members of the commission other than himself be named to a shelter inspection subcommittee, and that the subcommittee be chaired by Dr. Brian Melius who would then, as chairman of the shelter inspection subcommittee, sign all inspection reports after approval by the membership. Ms. Joelle Rupert moved that the committee be established with Dr. Brian Melius as chair. The motion was seconded by Mr. Edmondson and passed by the commission unanimously.

VI. Adjournment

Mr. Cole moved that the meeting be adjourned, seconded by Ms. Rupert. After a vote by the Commission the meeting was adjourned at 11:50 AM.

Minutes submitted by: Gary Balsamo

Minutes are to be approved at the ensuing Commission meeting.

Appendix A

LAWC BREEDING PERMIT

DEFINE WHO IS BEING REGULATED BY LAW

OWNER?
HOBBYIST?
DEALER?

COST OF PERMIT & DISTRIBUTION OF FUNDS COLLECTED

FEE \$/B PER LITTER & PER PUP SOLD IN LA
SHOULD # OF OFFSPRING BE TAXED?
OF LITTERS ALLOWED PER 12 MONTH PERIOD OR NUMBER OF PUPS?
MINIMUM AGE FOR SALE—8 WEEKS?

ADDITIONAL REQUIREMENTS

ALL BREEDING STOCK MUST BE REGISTERED WITH
AMERICAN KENNEL CLUB, CANADIAN KENNEL CLUB,
UNITED KENNEL CLUB OR OTHER LEGITIMATE REGISTER-
ING BODY, APPROVED BY LAW.

BREEDING STOCK & OFFSPRING TO HAVE A PERMANENT
ID & BE REGISTERED WITH THE LAW PET REGISTRY.

MAINTAIN RECORDS OF PLACEMENT OF OFFSPRING

CONTRACT TO ACCEPT RETURNED ANIMALS FOR LIFE.

CARE REQUIREMENTS
DO NOT GET INVOLVED IN HEALTH CARE RULES
TESTING AS RECOMMENDED BY PARENTS CLUB
ORGANIZATIONS.

NO ONE CONVICTED OF ANIMAL CRUELTY WILL BE
ISSUED A PERMIT

RIGHT TO INSPECT UPON COMPLAINT?
FINE FOR SELLING ANIMALS WITHOUT PERMIT?